

REMARKS/ARGUMENTS

Claims 1-8, 10-15, and 17-19 are now pending in this application. Claim 1 is an independent claim. Claims 9, 16, and 20-26 have been cancelled.

Claim Rejections – 35 USC § 112, 2nd Paragraph

Claims 1-19 were rejected under 35 U.S.C. § 112, 1st paragraph. (Pending Office Action, Page 2). Amendments have been made to the claims thereby obviating the rejections under this section.

Claim Rejections – 35 USC § 112, 2nd Paragraph

Claims 1-19 were rejected under 35 U.S.C. § 112, 2nd paragraph. (Pending Office Action, Pages 2-3). Amendments have been made to the claims thereby obviating the rejections under this section. The Patent Office lists the term “itenerating reagent” as being included in the claims and rendering the claims indefinite. (Pending Office Action, Page 3). However, Applicants assert that the Patent Office-cited term “itenerating reagent” does not appear in the claims, but Applicants point out that the term “*int*enerating reagent” is the term which actually appears in the claims. Applicants further assert that the term “intenerating reagent” as it appears in the claims is NOT indefinite, as the term “intenerate” is generally accepted as having the meaning “to tenderize” or “to soften” (as shown in the following link <http://www.merriam-webster.com/dictionary/intenerate>). Thus, Applicants respectfully point out that the term “intenerating reagent” may be defined as “tenderizing reagent” or “softening reagent” according to the generally-accepted definition of the word, does NOT render the claims indefinite, and therefore, does NOT need to be amended.

Claim Rejections – 35 USC § 103(a)

In the previous Office Action dated February 20, 2008, Claims 1-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fisher, USPN: 4,364,925 (hereinafter: Fisher) in view of Mohilef, USPN: 5,149,550 (hereinafter: Mohilef). (Office Action dated February 20, 2008, Page 3). Also, in the previous Office Action

dated February 20, 2008, Claims 17-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Fisher and Mohilef, further in view of Kerres, USPN: 4,270,464 (hereinafter: Kerres). (Office Action dated February 20, 2008, Page 7). Applicants respectfully traversed these rejections, made amendments to the claims, and provided arguments against said rejections under this section in Applicants' previous Amendment and Response dated June 20, 2008. However, the pending Office Action is silent as to the status of the previous 103 rejections against Claims 1-19 of the present application, so Applicants are thus re-asserting their arguments (set forth below) against the previous 103 rejections, just in case said previous 103 rejections against Claims 1-19 are still being asserted by the Patent Office.

"To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations." (emphasis added) (MPEP § 2143). "If an independent claim is non-obvious under 35 U.S.C. 103, then any claim depending therefrom is non-obvious." (emphasis added) *In re Fine*, 837 F. 2d 1071, 5USPQ2d 1596 (Fed. Cir. 1988). Applicants state that none of the above-cited references either alone or in combination, either teach, suggest or disclose the above-referenced elements of the present invention.

Independent Claim 1 of the present invention generally recites a method for processing a pet product, said method including: "mechanically defatting said animal peltry". The Patent Office cited that Fisher does not teach the defatting step of the present invention, but that Mohilef teaches said defatting step. (Pending Office Action, Pages 4-5). However, Applicants point out that Mohilef teaches chemical defatting (Pending Office Action, Page 5, Mohilef, Abstract) while the present invention teaches mechanical defatting (ex. – via a plane). (Present Application, Page 6, Paragraph 0013). Unlike Mohilef, the present invention allows for defatting without having to use such chemicals and without having to worry about the disposal of such chemicals. Nowhere in

any of the references cited by the Patent Office, either alone or in combination, are the above-referenced elements of the present invention disclosed, taught, or suggested.

Therefore, based on the above rationale, the cited references do not preclude patentability of the present invention under 35 U.S.C. § 103(a). As a result, a *prima facie* case of obviousness has not been established for Independent Claim 1. Thus, Independent Claim 1 is believed allowable. Further, Dependent Claims 2-8, 10-15, and 17-19 (which depend from claim 1) are therefore allowable.

CONCLUSION

In light of the forgoing, reconsideration and allowance of the pending claims is earnestly solicited.

Respectfully submitted,

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